

O 132358Z APR 09
FM SECSTATE WASHDC
TO PAGE 02 STATE 036339 140016Z
AMEMBASSY BEIJING IMMEDIATE
INFO AMEMBASSY MANILA IMMEDIATE
AIT TAIPEI IMMEDIATE 4143
NSC WASHINGTON DC IMMEDIATE 3041
JOINT STAFF WASHINGTON DC IMMEDIATE
CDR USPACOM HONOLULU HI IMMEDIATE
OSD WASHINGTON DC IMMEDIATE
SECDEF WASHINGTON DC IMMEDIATE

C O N F I D E N T I A L STATE 036339

E.O. 12958: DECL: 04/13/2019
TAGS: [CH](#) [ECON](#) [PBTS](#) [PHSA](#) [PREL](#) [TPHY](#)
SUBJECT: U.S. RESPONSE TO APRIL 12 CHINESE DEMARCHE ON
LANGSETH OPERATIONS NEAR PRATAS ISLAND

Classified By: EAP DAS JOHN NORRIS FOR REASONS 1.4 (B) AND (D)

1.(C) Background: On April 11, the U.S.-flagged, National Science Foundation (NSF)-owned research vessel Marcus Langseth, operated by Columbia University's Lamont-Doherty Earth Observatory, was conducting scientific research on tsunami risks in the South China Sea when it was hailed by a PRC vessel operated by the State Oceanic Administration and advised that it was in "PRC waters" without permission. The Langseth was operating in waters that are administered by Taiwan authorities and have not customarily been considered within China's exclusive economic zone (EEZ), except under Beijing's larger claim to Taiwan as a province of China.

In response to the PRC actions, the Langseth changed course and headed east toward the Philippines. The Chinese embassy subsequently demarched the Department claiming the Langseth was in fact conducting research in China's EEZ. The same Chinese vessel continues to shadow the Langseth, which is currently off Luzon in the Philippine EEZ. The NSF plans to direct the Langseth to avoid conducting research in the areas claimed by Beijing in its recent demarche (EEZ generated by Pratas Islands).

According to international law, conducting marine scientific research in a country's EEZ requires consent from that state. The original application for the voyage, submitted to Taiwan, PRC, Japan, and the Philippines in August 2008, proposed data collection in a wide area, including in China's EEZ. Because China did not approve this original plan, which was similar to research voyages approved by China in 1999, 2000, and 2001, the path of the vessel was modified to avoid what we understand to be China's EEZ.

2.(C/REL CHINA)We suggest the following points for use in responding to official Chinese representations on the Langseth's research operations on its revised course:

--The M/V Marcus Langseth is conducting scientific research to better understand tsunami risks in the northern part of the South China Sea. This research will be freely and publically available and of benefit to all inhabitants of the region, including Chinese citizens.

--The Langseth's voyage is the result of years of planning. We are disappointed that China did not approve the original cruise track of the Langseth, which included the conduct of research in China's EEZ and was submitted to China in August 2008.

--As earlier discussed, the United States recognizes the need for consent from a coastal state before conducting marine scientific research in a coastal state EEZ. Accordingly, the researchers adjusted the course of the Langseth to avoid the Chinese EEZ.

--It is our understanding that the Langseth is not conducting

and does not plan to conduct any research in what we understand to be China's EEZ.

--Since the Langseth has the necessary permissions to conduct research on its current revised course, we do not understand why Chinese vessels are communicating to the Langseth that it needs Chinese permission to operate on its current tracks. This is contrary to the spirit of scientific inquiry for the benefit of mankind and the general trend toward more positive bilateral relations between our two countries, as agreed to by President Obama and President Hu in London.

CLINTON